

STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RESOURCES CONTROL BOARD  
**DIVISION OF WATER RIGHTS**

**ORDER**

APPLICATION 12715

PERMIT 8354

LICENSE 4948

ORDER ALLOWING CHANGE IN PLACE OF USE

WHEREAS:

1. A petition for change in place of use under License 4948 has been filed with the State Water Resources Control Board and said Board has determined that good cause for such change has been shown.
2. License 4948 was issued to John M. Souza and was filed with the County Recorder of Merced County on January 22, 1958.
3. License 4948 was subsequently assigned to Gallo Vineyards, Inc., a California Corporation.
4. The Board has determined that this change in place of use will not operate to the injury of any other legal user of water involved.

NOW, THEREFORE, IT IS ORDERED:

1. That permission is hereby granted to change the place of use under License 4948 to a place of use described as follows:

0.3 acres within SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 25, T6S, R10E, MDB&M  
2.2 acres within SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 25, T6S, R10E, MDB&M  
16.6 acres within NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 25, T6S, R10E, MDB&M  
17.3 acres within SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 25, T6S, R10E, MDB&M  
30.5 acres within NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 25, T6S, R10E, MDB&M  
4.9 acres within SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 25, T6S, R10E, MDB&M  
23.0 acres within NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 25, T6S, R10E, MDB&M  
94.8 acres total

Dated: AUGUST 7 1978



Clint Whitney, Executive Director  
Water Rights and Administration



STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 12715

PERMIT 8354

LICENSE 4948

THIS IS TO CERTIFY, That

John M. Souza  
Box 123  
Irwin, California

Notice of Assignment (Over)

has made proof as of August 9, 1956  
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of  
Merced River in Merced County  
tributary to San Joaquin River.

for the purpose of irrigation use  
under Permit 8354 of the State Water Rights Board and that said right to the use of said water has been  
perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the  
terms of the said permit; that the priority of the right herein confirmed dates from September 27, 1948;  
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited  
to the amount actually beneficially used for said purposes and shall not exceed one and thirty-six hundredths  
(1.36) cubic feet per second to be diverted from about April 1 to about September 30  
of each year.

The equivalent of such continuous flow allowance for any thirty-day period may  
be diverted in a shorter time if there be no interference with other vested rights.

The point of diversion of such water is located south five hundred (500) feet and east  
one hundred fifty (150) feet from center of Section 25, T6S, R10E, MDB&M, being  
within NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of said Section 25.

A description of the lands or the place where such water is put to beneficial use is as follows:

20 acres within NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 25, T6S, R10E, MDB&M  
3 acres within SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 25, T6S, R10E, MDB&M  
5 acres within NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 25, T6S, R10E, MDB&M  
24 acres within SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 25, T6S, R10E, MDB&M  
12 acres within SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 25, T6S, R10E, MDB&M  
23 acres within NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 36, T6S, R10E, MDB&M  
87 acres total

All rights and privileges under this license including method of diversion, method of use and quantity of water  
diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the  
interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of  
diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time  
to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein  
specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: JAN 21 1958

STATE WATER RIGHTS BOARD

By Leslie C. Jopson  
LESLIE C. JOPSON  
Chief Engineer

12-10-54- Name chg. to Estate of John M. Souza

12-10-57 RECEIVED NOTICE OF ASSIGNMENT TO Maria J. Souza

7-24-69 RECEIVED NOTICE OF ASSIGNMENT TO Hallo Venegas Souza  
California Corporation

LICENSE  
4948

STATE OF CALIFORNIA  
STATE WATER RIGHTS BOARD

LICENSE  
TO APPROPRIATE WATER

ISSUED TO John M. Souza

DATED JAN 21 1958

BAITO 4-57 5M ① SFO

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